

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

**TIMOTHY J. SHERIDAN,**

**Petitioner,**

**v.**

**ORDER**

**Civil File No. 06-978 (MJD/FLN)**

**R. L. MORRISON, Warden,**

**Respondent.**

---

Timothy Sheridan, pro se.

Tricia A. Tingle, Assistant United States Attorney, Counsel for Respondent.

---

**I. INTRODUCTION**

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated May 25, 2006. The Report and Recommendation recommended that Petitioner's Application for Habeas Corpus Relief under 28 U.S.C. § 2241 be granted in part and denied in part. Petitioner has filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.1(c). Based on that review the Court adopts the Report and Recommendation dated May 25, 2006 insofar as it recommends denying Petitioner's immediate assignment to an RRC. Since

Petitioner has received the review that Judge Noel recommended, that part of the Report and Recommendation is now moot, and the Court therefore declines to adopt that recommendation.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Magistrate Judge's Report and Recommendation dated May 25, 2006 [Docket No. 10] is hereby **ADOPTED IN PART** as explained fully in the body of this Order;
2. Petitioner's Application for Habeas Corpus Relief under 28 U.S.C. § 2241 [Docket No. 1] is **DENIED AS MOOT IN PART and DENIED IN PART**;
3. Petitioner's Application is **DENIED AS MOOT** as to review pursuant to 18 U.S.C. § 3621(b);
4. Petitioner's Application is **DENIED** as to immediate assignment to an RRC; and
5. This action is **SUMMARILY DISMISSED WITH PREJUDICE**.

Dated: July 6, 2006

s / Michael J. Davis  
Judge Michael J. Davis  
United States District Court